



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

CHARTER REVISION COMMISSION

July 10, 2008

I CALL TO ORDER

Commissioner Bafundo called the meeting to order at 6:33 PM in the Helen Nelson Room of the Newington Town Hall.

II PLEDGE OF ALLEGIANCE

III ROLL CALL

Commissioners Present

Nancy Bafundo - Chair
Tony Boni
Peter Boorman
Robert Briggaman
Alan Nafis

Also Present

Mayor Jeff Wright
Town Clerk Tanya Lane
Attorney Justin Clark
Town Attorney Ben Ancona

IV PUBLIC PARTICIPATION

Dave Nagel, 1175 Willard Avenue, Town Council Member: Mr. Nagel stated appreciation for the Commission's lengthy, thoughtful and difficult task. He urged the Commission to include a budget referendum as part of the Charter, set up in a way that the referendum would only occur if the proposed budget has more than a three-percent increase. He stated that the number of referendum attempts should be limited to two, and *unresolved referendums after two votes and on property revaluation years* should automatically result in a three-percent tax cap. Mr. Nagel stated that this kind of referendum provides taxpayers with the deserved right to express their concerns when it is most relevant to them. He commented that additional public inclusion can only enhance the feeling of worth and pride as part of our Newington community.

Myra Cohen, 42 Jeffrey Lane, Town Council Member: Mrs. Cohen noted some corrections in the minutes of the June 26, 2008 Charter Commission meeting:

- Page 1, under her public participation comments, 5th line up: the wording: "require the TPZ to go before the Conservation Commission should read: *require the TPZ to notify the Conservation Commission requesting their recommendations*" (so noted)
- Same paragraph, 4th line up: the wording: "In addition the TPZ" should read *In the meantime the TPZ*. (so noted)

Jay Bottalico, 37 Valley View Drive, Town Council Member: Mr. Bottalico stated agreement with Mr. Nagel's comments and stated that there should not be a budget referendum if the budget calls for less than a three-

Phone: (860) 665-8510 Fax: (860) 665-8507

townmanager@newingtonct.gov

www.newingtonct.gov

percent increase in taxes. He stated that on reval years the three-percent tax cap should apply to the budget increase rather than the tax increase.

Tom Ganley, 223 Goodale Drive: Mr. Ganley commented that he is in favor of a budget referendum. He noted concerns and talk about special interest groups that could “hijack” a referendum and disrupt the responsible work done by the Council. He remarked that political parties are special interest groups, and all political parties in this process have a philosophical political reason to oppose or support a referendum and each department within the Town is a special interest group with an interest in its budget. He stated that if people are concerned about special interest groups they should consider the entire menu of special interest groups, and commented that under no circumstances should special interest groups be labeled as “good” or “bad”. Mr. Ganley stated that it is the right of the public to make the final decision and if a particular association decides to challenge the Council on its wisdom, that is the group’s right. He commented that there should be no connotation that a special interest group equals a bad group and noted that there are special interest groups on both sides of the topic.

Bill Lindberg, 154 Cambria Avenue: Mr. Lindberg spoke in support of a budget referendum. He commented that the public has no direct say on how Newington spends its millions of tax dollars. He stated that the Town Council votes on the acceptance of the Town budget, often ignoring input from taxpayers who express their concerns at budget meetings. He noted an argument that only a small number of people may turn out to vote on a budget, and that small number would dictate how money is spent for the entire Town. Mr. Lindberg remarked that the Town currently has a similar situation as nine members of the Town Council currently vote on how the tax revenue is to be spent. He stated that even if only 1,000 voters turn out at a budget referendum that is still a higher number than the nine Town Council members. He stated that with a budget referendum it would be up to the Council to actually sell the budget to the public. Mr. Lindberg noted that many neighboring towns have an annual budget referendum, and inquired whether the politicians in this Town and/or the members of this Charter Commission are saying that the Newington taxpayers are not as astute as their neighbors are when it comes to the budget process. He implored the Commission not to play partisan politics with something as important as the right for the Town to vote on a budget. He stated that it is not a Republican referendum or a Democratic referendum – it is just the right thing to do.

Mark Pappa, 105 Back Lane: Mr. Pappa thanked the Commissioners for their dedication and steadfast commitment to the people of Newington and for hearing input from the public. Mr. Pappa spoke in support of a budget referendum and noted that it is a revolutionary document that provides the taxpayers the ability to have a say and vote on Town spending and property taxes. He stated that such a document not only accomplishes the original goals set out in the last election but also exceeds what was originally promised to voters during the last election. Mr. Pappa stated that the document demonstrates truth in spending and is one of the most pro-voter and pro-taxpayer documents he has ever read in the political arena. Commissioner Boorman inquired as to what document Mr. Pappa is referring to. Mr. Pappa replied that the document is regarding the proposed budget referendum. Mayor Wright stated that the Commissioners received the document yesterday (July 9, 2008) in regards his proposed referendum. Mr. Pappa outlined five areas of the document:

1. *It would have to demonstrate the actual adopted budget*
2. *The actual increase*
3. *The estimated mill rate*
4. *The estimated property tax bill for the taxpayer*
5. *The percentage increase for the previous year*

Mr. Pappa stated that most importantly the document sets a three percent increase tax cap. He noted that the Commission has heard critics and stated that concerns about funding with limiting budget increases are not true. He noted that this year the budget increase was less than three percent and has accomplished road repairs, salary increases for certain Town employees, cut wasteful spending, and fully funded education. He commented that this is exactly what this document is going to do in the future – protect the taxpayers while maintaining quality of life. He thanked the Commission for its time.

Ralph Capenera, 56 Peria Drive, Rocky Hill: Mr. Capenera stated that he is impressed that the Town of Newington is talking about providing tax relief to its citizens and commented that he sees this as the beginning of a taxpayers’ revolution beginning tonight in the Town of Newington. He stated that with any luck this movement will spread to all 169 cities and towns in the State of Connecticut and remarked that everyone should be proud that the topic is even being discussed in this forum. Mr. Capenera stated that he is surprised to hear the word “politics” used as politics should not come into play, and stated that citizens volunteer on boards and

commissions to serve the people. Mr. Capenera stated that what the referendum will accomplish is to force the government to limit the way it spends money and force the government to spend within its means. He thanked the Commission for its work.

V MINUTES

A Regular Meeting, 6/26/08

Commissioner Bafundo noted Mrs. Cohen's amendments to the minutes. Commissioner Boorman noted that the on page four, first paragraph under TPZ the phrase "any such assistance as required should" read, *any such assistants as required*. (so noted)

Commissioner Boni moved to accept the minutes of the Regular Meeting, 6/26/08 with amendments as noted. Motion seconded by Commissioner Boorman. Motion passed 5-0.

VI MATTERS TO BE CONSIDERED

A Attorney Justin Clark, Technology Presentation

Attorney Clark presented a visual overview of the electronic tracking system that will be used to track amendments to the Charter throughout the process.

- A control version of the Charter has been saved in Word and will serve as the baseline document throughout the process.
- Proposed amendments will be saved as separate documents, with each document saved under a new, dated file name. For example, amendments made during the July 10, 2008 meeting would be saved as Newington-Charter 7-10.doc (example only) and changes made at subsequent meetings would be saved as separate documents according to the meeting date.
- Delta View software will be used to compare the control document to any edited version and will run a report comparing the two documents. Atty. Clark showed the Commissioners an example of how the amendments would appear on the report.
- The Commissioners will receive a copy of the Delta View report, a copy of the changes to the document with changes highlighted and a copy of the original document. Commissioner Briggaman inquired as to how subsequent changes to amendments are viewed. Atty. Clark replied that all changes made at a particular meeting will be saved as a new document dated according to the meeting date and a comparison can be run between the documents from week to week.
- Atty. Clark reviewed the legend included at the bottom of the report. Commissioner Boorman requested that all changes made at a particular meeting are highlighted from meeting to meeting. Attorney Clark reiterated that the Commissioners will receive the report but will also receive a document with changes highlighted.

Commissioner Boorman clarified that after each meeting the Commission will receive changes made at the meeting as one document and the Delta View report as a second document that combines changes. Atty. Clark concurred.

Commissioner Briggaman noted that in the control version of the Charter he received the words "Newington Code of Ordinances" appear across the top of the second page and stated that those words should not label the document. Commissioner Boni noted that his copy of the Charter has the words "Newington Code" across the back of each page, but indicated that his copy of the document was photocopied from the Town Hall. Commissioner Boorman stated that the language should be changed; it should be labeled as the Newington Charter. Town Clerk Tanya Lane noted that the document came that way from the vendor (during the recent codification project) as one book with the Code of Ordinances but separated from the Code. She stated that while the Charter was not touched during the process the vendor labeled the entire book as the Code. She stated that the labeling can be deleted in the Charter.

Commissioner Briggaman noted a typo in Charter section 203 and stated that the beginning of the second line of the section should read "*for* more than the mayor". Atty. Clark stated that the document was taken electronically from the Town website. Commissioner Bafundo inquired whether the document was originally scanned into the website. Ms. Lane required that she is not sure whether it was scanned into the website but stated that the document was received from the vendor via email. Commissioner Bafundo stated that the

Commission will not make the discussed changes at the present meeting but will do so as part of the process moving forward, and will proof the document moving forward as well. Mrs. Cohen noted from the audience that the document was taken from the book. Commissioner Bafundo agreed and stated that since the document was taken from the book the left side of the book would contain the name of the book and the right side would have the name of the chapter, and stated that the Commission will clean it up. Mayor Wright inquired how many versions of the document can be compared at once using Delta View. Atty. Clark replied that he has been told that more than two can be compared at once but doing so can make the report somewhat confusing and stated that he does not know the maximum number of documents that can be compared at once. Commissioner Bafundo stated that it will be very helpful to have a document of changes that is dated to correspond with the minutes of every meeting.

B Preliminary Discussion Regarding Charter Revision

Commissioner Bafundo stated that unless the Commission needs to hear from anyone else it is coming to the point of moving forward with the Charter language. She stated that as the Commission moves through the various sections much of the language will hopefully be cut and dry. She noted that the Commission has heard from various department heads, boards and commissions and a lot of what was said was informative and made a lot of sense and hopefully the Commission will be able to come up with language to support their identified needs and to help the Town move forward. She commented that the Commission needs to decide how to move forward: from section to section or item to item.

Commissioner Boni suggested that the Commission start by tackling the most difficult task first, specifically the budget referendum and once that is done it can proceed to the more minor topics. Commissioner Bafundo inquired whether the Commission should move from item to item by voting, by consensus or by waiting until the end of a meeting to either reach a consensus on the discussed language or voting on the language. She inquired whether the Commission prefers to go by section or by evening and by consensus or by vote. Commissioner Boorman stated that the Commission should identify areas that it anticipates talking about for successive meetings, identifying these sections in the minutes for public awareness, and use consensus as much as possible in addressing language changes, updates etc. He stated that final votes for any part of the Commission's work should be held until the end of that section. He stated that in the event that a Commissioner requests a formal vote to be taken on an item pertaining to the section being worked on it would be recognized as being a preliminary matter and once the Commission is done it would give everyone the opportunity to comment and consider changes that may come up at that point and then Commission would *address the vote on the document as a whole*. Commissioner Boorman stated that there will likely be some provisions that the Commissioners agree are complete only to have the provision reopen for discussion at a later time due to changes in subsequent provisions. He stated that the Commission should recognize that decisions made by consensus are reviewable and even if a vote is taken on a contentious matter at any given time it recognizes that the vote is preliminary and subject to review at the end. Mayor Wright inquired whether Commissioner Boorman is suggesting one final vote at the end for all of the changes. Commissioner Bafundo stated that there has to be one final vote at the end prior to submitting the document to the Council. Mayor Wright inquired whether there would be votes both before and after the public hearing. Commissioner Bafundo stated that doing so would make sense. Commissioner Boorman noted that the Commission may choose to have more than one additional public hearing and stated that the Commission would have a preliminarily-completed document ready but the Commissioners will take input from the public hearing prior to making its final vote and submitting the document to the Council. Commissioner Bafundo stated that the Commission will consider many different factors during the process and cautioned against voting during the working stage of the process. Commissioner Nafis agreed and stated that the final vote should not come until after the final public hearing and in the meantime the Commission should work towards consensus on the various items. Commissioner Boorman stated that the Commission will stay away from formal votes as it works through the sections and if it cannot reach consensus on a particular item it will note the differing view points and continue to move along. He suggested that as the public hearing nears *the Commission leave the two versions there for the public to comment on, and then come back and the final decision will be made after that*. Mayor Wright inquired as to how the Commission will address suggestions which the Commission decides not important or not to be included in the final document. Commissioner Nafis commented that the Commission has the responsibility to address all suggestions even if they are addressed rather quickly, and the Commission will reach a consensus as to which way to go with a suggestion. Commissioner Boorman stated that if the consensus is that there is to be no change then it will be stated as such. He stated that in addition, divergent viewpoints would be noted in the preliminary document and the Commission would move on to the next section. He stated that when the

Commission gets to the end of the document it will then at that point discuss areas that it could not previously come to consensus about and then decide whether to submit that document with consensus and with the differing viewpoints to the public before the final public hearing. He stated that after that the Commission will vote to decide which language to send to the Council. Mayor Wright inquired whether Commissioner Boorman is suggesting that multiple versions of the document are going to be available to the public prior to the public hearing, noting that there are going to be divergent viewpoints on multiple issues. Commissioner Boorman replied that the option should be left open until the Commission goes through its first run-through of the Charter and can decide what to present to the public based on the divergent issues. He stated that he would not be opposed to putting two points of view to the public in order to allow the public to provide intelligent input, but cautioned that it would be a problem if there were too many divergent issues and the process becomes cumbersome. Mayor Wright expressed concern with presenting multiple versions to the public, commenting that it is a slippery slope to present different versions of the document for a public hearing and commented that it is the responsibility of the Commission to present one document to the public. Commissioner Nafis noted that the Commission can hold separate or additional public hearings on various topics as needed. Commissioner Briggaman commented that only one document should be presented to the public, not two or three documents. Commissioner Boorman stated that the document that goes before the public for a public hearing is not the final document and stated that if there is a contentious item such as the budget referendum then the public should be aware of the divergence of viewpoints prior to the public hearing. He stated that it is not good democratic practice for the Commission to not place as much information as possible before the public and stated that he does not see the harm in presenting two diverging viewpoints. Commissioner Boni commented that his understanding, the purpose of the Commission is to come up with a revision of the Charter to present to the Town Council and to the public. He stated that members of the public have had plenty of opportunity to voice their opinions and will continue to have opportunities to present their opinions. He stated that the public has the choice to let the Commission know if they do not agree with the proposed changes to the document and stated that there is no reason to give the public two or three options at a public hearing. Atty. Clark noted that proposed language and various points of view will all appear in the meeting minutes for public review. He stated that the cleanest way to go about the process is to vote on the items and then go back and revisit as necessary. Commissioner Bafundo stated that the Commission is being presumptive in making a decision about something that has not yet been discussed. She stated that there is one major issue and the best time to make the decision about what to place before the public can be made once the Commission begins to address that major issue and learns how the opinions vary. Commissioner Boorman stated in agreement with Commissioner Bafundo that the Commission does not need to make a decision right away but stated that the Commission will revisit the issue once it gets near the point of a public hearing. He agreed with Mayor Wright that if there are many divergent issues at that point then the Commission will need to pare down the issues. Commissioner Boorman expressed disagreement with Atty. Clark's suggestion that the Commission votes on every single item, and expressed agreement with Commissioner Bafundo that the Commission should do as much by consensus as possible.

Mayor Wright stated that it is important to have a clear focus and used an analogy comparing the process to the Town Council's budget process. He indicated that the Commission has gathered information from various sources and it is now time to start talking about changes to the Charter. He noted that the Commission is required to hold one more public hearing and commented that there has been a lot of public input so far. He noted that a proposed budget comes before the public for a public hearing whether the Council agreed on the budget unanimously or through a split vote. He stated that it is the responsibility of this Commission to also bring one master Charter document to the people for a public hearing prior to the final vote and submission to the Town Council. Commissioner Nafis stated that there has not been a lot of public input and suggested that separate public hearings be set for contentious issues such as the budget referendum, noting that the Commission has the authority to hold as many public hearings as it deems necessary.

Commissioner Boorman requested consensus of the voting members of the Commission to adopt Commissioner Bafundo's proposition that the issue does not need to be resolved at the present meeting. He stated that there are a lot of things that the Commission does not know and it may be talking about things that will not even be an issue. He indicated that when the time comes the Commission can revisit the issue but for the time being it should just move on. Commissioner Boni inquired whether Commissioner Nafis' recommendation is that the Commission hold a public hearing about the budget referendum alone, address that item until it is a done deal and then come back and work on the rest of the Charter. Commissioner Boorman remarked that there is no such thing as a "done deal" until the Commission takes its final vote. Commissioner

Bafundo stated that the Commission may or may not need to do so, but stated that the Commission does not need to make the decision at the present meeting.

Mayor Wright indicated that he has introduced language regarding a budget referendum and property tax cap and stated that there will probably be other versions to come before the Commission. He stated that there has not been a great public turnout to any of the meetings but stated that the people will have the ultimate say and when the votes on the new document are in that is when the public's say will become apparent. He stated that it is important to start talking about the language and requested to get the process moving at the present meeting. He stated that there are two schools of thought for tackling the language, tackling the most controversial issue first or saving it for the last item prior to the public hearing and submission to the Council. He stated if the Commission deals with the controversial issues up front then there will be less stress from that point as the Commission deals with the non-controversial issues. Commissioner Boorman stated that he would like to get some momentum going and build a comfort level with the Commission working towards consensus before tackling the referendum. He stated that he does not necessarily want to move the referendum to the end of the process but stated that he does not want to do it first. He stated, however, that he would not be adamantly opposed to working on the referendum first if that is the consensus of the rest of the Commission. Commissioner Nafis stated that he would like to start at the beginning of the document and work through to the end. He commented that it is likely that as the Commission moves through the document it will need to revisit some areas that may contradict amendments made to other areas.

Mayor Wright suggested that by dealing with the contentious issues first the Commission will give the public more opportunities to provide input. He requested that the Commission start by discussing a few of the easy items and then begin discussing the budget referendum and his proposed language at the current meeting. Commissioner Nafis stated that he had not received the Mayor's proposal prior to the meeting and indicated that he is not prepared to discuss the issue at the current meeting. Commissioner Boorman noted that a discussion of the referendum was not included on the agenda. Commissioner Bafundo stated that the item can be discussed because it is a part of the Commissioners' packet for the evening. Commissioner Boorman disagreed and stated that the Commission *can't proceed, especially with an item that is as significant as that in terms of not even putting it in the agenda and notifying the public we are going to talk about it.* (Comments not audible on the tape due to several people speaking at once) Commissioner Bafundo replied that she spoke to Ms. Lane about that when the agenda went out because she had hoped that the Commission would start to talk about the document and hopefully make a few changes, and was assured that because *our business and business pertinent to the Commission and the fact that we were having preliminary discussions regarding the Charter revision it was covered as an agenda item under those.* Ms. Lane replied that it is a matter of interpretation but it could fall under that umbrella. Commissioner Boorman stated that there is no way that any member of the public would be aware, based on this notice, that there is going to be any discussion about the referendum during the current meeting and stated that in the spirit of fairness he would hope that just because the Mayor gave the Commissioners an idea that he culminated and sent yesterday it isn't a proper time to go through it right away. Mayor Wright commented that he did not send the document. Commissioner Bafundo noted that the meetings are televised and minutes are available to the public, there is always the next meeting for participation, nothing will be voted on and nothing is a done deal. She stated that the item can always be revisited for discussion at a later meeting and stated that she does not believe the Commission is committing any information violation by discussing the item at the current meeting. Mayor Wright inquired about if a section of the Charter is discussed at the meeting whether the Commission is then allowed to discuss any other section as well. Commissioner Boorman stated that Ms. Lane should only answer that question if she feels qualified to do so. Ms. Lane replied that she does not serve the Commission in an advisory capacity, and it is up to the Commission itself about how it wishes to proceed. Mayor Wright inquired whether the Commission is able to discuss any changes it wants at the meeting. Ms. Lane replied that she is being put in a bad position by these questions; she acts as a liaison to the Commission and while she is familiar with FOI this is a contentious issue and she respectfully declined to answer the question. Commissioner Boorman remarked that discussing the issue at the current meeting would be an FOI (Freedom of Information) violation and asked Atty. Clark to explain the process to add an item to the agenda. Atty. Clark replied that he is not sure how it is a FOI problem. Commissioner Boorman inquired whether Atty. Clark would agree that FOI statutes in the State of Connecticut regulate meetings of *State agencies.* Atty. Clark replied that the FOI statutes regulate *the reporting of how open those meetings are.* Commissioner Boorman inquired whether Atty. Clark would agree that FOI regulates meetings including agenda items. Commissioner Bafundo asked Town Attorney Ancona (present at the meeting) for his opinion. Atty. Ancona stated that *you're hamstringing the Commission. This is the Charter Revision Commission, so what happens if we accept your proposition is then any minutia would be forbidden.*

Commissioner Boorman replied that Atty. Ancona's comments were ludicrous and requested that Atty. Ancona confirm that the FOI Commission regulates meetings' procedural requirements. Atty. Ancona replied that he will not engage in a debate about the item, but stated that Commissioner Boorman *cannot hamstring this Commission and if the Mayor proposed that he wishes to discuss a budget referendum, by consensus the Commission can accept that*. He noted that the meeting is on camera and there is no limitation. Commissioner Boorman inquired whether Atty. Ancona is saying that there is no limitation under the FOI statutes about what is discussed at any meeting. Atty. Ancona replied that the group is a Charter Revision Commission and can discuss any matter related to Charter revision. Commissioner Boorman inquired whether this means that an item not on the agenda can be discussed; Atty. Ancona replied that *it is on the agenda*. Commissioner Boorman asked to see where on the agenda it states that the Commission can talk about amending the Charter. Atty. Ancona noted agenda item VI-B Preliminary Discussion Regarding Charter Revision, and stated that most people would not have any problem discussing any component within the Charter.

Commissioner Nafis stated that his intention is that once the Commission is aware of what areas are going to be discussed he is going to do his research, study those areas, and come to the meeting prepared to discuss the item. He stated that if the Commission wishes to discuss any area of the Charter at the present meeting they are welcome to do so but he will not take part in the discussion because he is not prepared to do so. He stated that he is not quite sure what the big rush is that to do a section or two at the current meeting. Commissioner Bafundo stated that when the agenda went out her preparation for the meeting was to go back through the comments, organize her notes and noted that although she only received the Mayor's document the morning of the meeting (due to email problems) she compared it to her notes prior to the meeting. She noted that the topic will not be a done deal at the present meeting and there will be several meetings worth of discussion on the item. She stated that the Commission should start at the beginning of the Charter in order to gain momentum while recognizing that the Commission has a very significant issue to discuss that should not be saved until the end. She commented that while the Commissioners did not have much time to review the document, a document received by the Commission should be included in the agenda and should be discussed. She stated that the Mayor's proposed budget referendum is contained within the packet received by the Commission and stated that there is not an issue in respect to introducing something new *because the document was provided*. Commissioner Briggaman noted that he received the email on Wednesday at 11:00am and he had time to review the budget referendum document and all attached notes prior to the meeting. Commissioner Boni commented that with all due respect it is not the Commission's fault that Commissioner Nafis did not have time to read the document. He inquired whether it would make a difference if he were to make a motion to waive the rules to add the item to the agenda. Atty. Clark replied that there are not any rules that govern the Commission in respect to having to waive the rules.

Commissioner Boorman suggested that the Commission err on the side of caution. He stated that he does not see any harm in including anything the Commission wants to discuss on the next meeting agenda, but cautioned that the Commission is treading in deep waters in terms of moving along. He requested that the Commissioners look at the situation and say that it is the fair thing to do, since there is at best an unclear agenda item: "Preliminary Discussion Regarding Charter Revision" (Item VI-B) and a document received from the Mayor the prior day, is to wait until next time to discuss the item and requested that the Commission agree by consensus to discuss the item at the next meeting. Commissioner Bafundo clarified that the document did not come from the Mayor; *it came from the Town to our Town email addresses. It may have originated from the Mayor but it came from an attachment from Justin (Atty. Clark) to us*. She stated that she has no problem with deferring any action or discussion about the Charter, stating that while it is unfortunate she does appreciate the need for everyone to be prepared and ready for the discussion. She stated that agenda language will be modified going forward to make it clear that the Commission will be working on Charter language revisions. Commissioner Nafis stated that it would be good to know what sections are to be discussed at the meeting, but the agenda language can be added to allow that additional items are discussed. Commissioner Bafundo stated that the budget referendum topic should be included on all agendas since it is likely that the topic will be discussed at every meeting. Commissioner Boorman agreed. Commissioner Boni questioned whether the referendum will actually be discussed at every meeting or discussed until the Commission comes to the point of a consensus. Commissioner Bafundo stated that the Commission will need to be careful about how it words the item in the agenda since the budget referendum is not included in the current Charter. Commissioner Briggaman stated that even if the Commission comes to a consensus on an issue there is nothing preventing the Commission from revisiting that issue down the road.

Commissioner Boorman requested that the Commission decides how to proceed with the next meeting. Mayor Wright noted that he worked with Atty. Clark to come up with language regarding a budget referendum and a property tax cap. He stated that he did not send the document out to the Commission, it was sent as part of the package from the Attorney to the Commission via email the day before the meeting. He stated that this is the Commission's fifteenth or sixteenth meeting and there has been a lot of discussion along the way and it is time to start doing some work on the language. He remarked that the atmosphere is too contentious to do any work at the current meeting but that the Commissioners should plan for the next meeting to be a long one in which it gets a lot of work done and starts to move forward with the process.

Commissioner Bafundo inquired whether it would be best to start work at the beginning of the Charter. Commissioner Boni stated that it would be better to start with the most difficult item, the budget referendum, and move forward. Commissioner Bafundo stated that the budget referendum will be on the agenda but stated that she also would like to also include discussion of other topics on the agenda and recommended that the Commission start at section 101 and move through the document. Commissioner Boni again stated that the Commission should *start with the budget referendum and then go back to section 101*. Commissioner Boorman inquired whether both items will be on the agenda. Commissioner Bafundo replied in the affirmative. Commissioner Boorman requested that the Commission agree by consensus that both of those items will be on the agenda. Mayor Wright inquired whether "both of those items" refer to section 101 plus additional sections or section 101 only. Commissioner Briggaman stated that it would be good to know how far the Commission plans to go at any meeting. Commissioner Nafis suggested that the Commission look at the compiled list of recommendations regarding the various sections to determine how many sections should be discussed at a particular meeting. Atty. Clark suggested that if the referendum is going to be discussed at the next meeting then sections 101 through 303 may be the best way to go. Commissioner Boorman agreed with Atty. Clark and inquired whether sections 101-303 will be included on the next meeting's agenda for discussion. He also inquired whether Commissioner Boni wishes to also address the budget referendum issue on the next agenda. Commissioner Boni replied in the affirmative. Mayor Wright stated that the Commission should begin with discussion about the budget referendum language and then move on to section 101. Commissioner Briggaman agreed. Commissioner Boorman inquired whether the Commission agrees to start the referendum discussion and then move on to discussion of section 101 to 303 at the next meeting. The Commission agreed by consensus.

Commissioner Bafundo requested that the Commission let Ms. Lane know if there are any additional resources needed regarding sections 101-303. Commissioner Nafis noted that within sections 101-303 is section 202 relating to the Fire Commission and noted that the Commission is still waiting for previously requested additional information from the Fire Commissioners. Ms. Lane stated that she has not received any response from the Fire Commission. Commissioner Boorman requested that Ms. Lane send out one more email alerting the Fire Commission and the Fire Chief that the topic will be discussed preliminarily at the next meeting and requesting that they send any input they wish to Ms. Lane prior to the meeting.

VII ANY OTHER BUSINESS PERTINENT TO THIS COMMISSION – none

VIII WRITTEN COMMUNICATION FROM THE PUBLIC - none

IX PUBLIC PARTICIPATION

Myra Cohen, 42 Jeffrey Lane, Town Council Member: Mrs. Cohen requested that being on the list of agenda and minutes recipients that she also be added to the list of recipients of other attachments and documents included in the Commissioners' packets. She stated that there is no way that the public could comment on the discussion during the current meeting and stated that the public needs to see what is going to be discussed in order to react to what the Commission is planning to discuss.

Tom Bowen, 22 Woods Way, Town Council Member: Mr. Bowen stated that as a Councilor he likes to not form any opinions until he has heard as much as he can hear about any issue and stated agreement with Mrs. Cohen. He stated that four gentlemen spoke in favor of a document earlier in the meeting, two of which being fellow Councilors and he noted that he had not seen that document. He noted that one of the previous public speakers requested that the Commission not play politics and Mr. Bowen stated that everyone should have the chance to see distributed information and he requested to also be on the list to receive any attachments or

anything that the Commission is putting out. He commented that he feels like he missed something that others were privy to.

Kristine Nasinnyk, 50 Theodore Street, Town Council Member: Mrs. Nasinnyk also requested to be added to the distribution list and suggested that all Councilors be included on the list. She stated that she tries to keep in close contact with the Commission's work but cannot always attend the meetings and having the documents would be helpful.

X COMMENTS BY COMMISSIONERS

Commissioner Briggaman inquired what prevents members of the public from requesting to be on the email distribution list as well. Commissioner Boorman commented that it may not be a bad thing for members of the public to request to be on the list as long as the list can be managed.

Commissioner Bafundo noted that the meeting scheduled for August 28 is right before the Labor Day weekend and inquired whether the Commission wishes to discuss changing the meeting date or canceling the meeting altogether, or whether it wishes to hold the meeting as scheduled. Commissioner Boorman inquired how many meetings are scheduled between the current meeting and the August 28 meeting. Commissioner Bafundo replied that there are two meetings scheduled between now and then. Commissioner Boorman inquired whether the item could be discussed at that second meeting. Commissioner Bafundo stated that the discussion can be deferred to a later meeting if the Commission wishes. Commissioner Boorman commented that the Commission can schedule an additional meeting if needed but agreed that August 28 may be a bad night for a meeting. Commissioner Briggaman agreed with Commissioner Boorman. Mayor Wright noted that it leads into the Labor Day weekend. Commissioner Bafundo suggested that the Commission cancels the August 28 meeting with the understanding that it can add a special meeting at another date if needed.

Commissioner Briggaman moved to cancel the August 28 meeting. Motion seconded by Commissioner Boorman. Motion passed 5-0.

XI ADJOURNMENT

Commissioner Boni moved to adjourn the meeting at 8:05pm. Motion seconded by Commissioner Boorman. Motion passed 5-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk – Charter Revision Commission